

General Permit No. SC GP-88-D-030 (Revised)
Name of Applicant: Savannah Lakes Village P.O.A., Inc.
Effective Date: July 13, 1999
Expiration Date: July 13, 2004

**South Carolina Department of Health and Environmental Control
General Permit**

A General Permit to perform work in or affecting the navigable waters of South Carolina, pursuant to regulations and procedures established under R. 19-450, et seq., Code of Laws of South Carolina, 1976, as amended, is hereby issued by the South Carolina Department of Health and Environmental Control (SCDHEC) to:

Savannah Lakes Valley P.O.A., Inc
adjacent to the waters of J. STROM THURMOND RESERVOIR
in McCormick County, South Carolina

to authorize the construction, repair and maintenance of noncommercial piers, docks, moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retaining walls and riprap for erosion control, and minor excavation subject to the following conditions:

I. General Conditions:

A. Structures authorized by this General Permit shall be noncommercial piers, docks (including multi-slip, both covered and uncovered), moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retaining walls and rip-rap for erosion control, and minor excavation conforming to the standards contained herein. Other construction of any kind within the waters of J. Strom Thurmond Reservoir including major excavation or filling is not authorized by this document.

B. All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, and in the institution of such legal proceedings as the SCDHEC may consider appropriate.

C. The structure owner must make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife, and natural environmental values or historic or prehistoric values.

D. The structure owner must prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

E. The structure owner shall permit State law enforcement personnel, representatives of the SCDHEC or other authorized State permit inspectors to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

F. The structure owner shall maintain structures authorized herein in good condition.

G. This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or Local laws or regulations, nor does it obviate the requirement to obtain local or Savannah Lakes Village P.O.A., Inc. or U.S. Army Corps of Engineers assent or to comply with any applicable standards required by ordinance for the construction of structures authorized herein. Local governments and the Savannah Lakes Village P.O.A., Inc. and other appropriate governmental authorities are not limited by this document and may impose more stringent requirements than those stated herein as deemed appropriate.

H. This General Permit may be either modified, suspended, or revoked in whole or in part if the SCDHEC determines that such action would serve the public interest, and such modification, suspension or revocation shall not be an act entitling the permittee to compensation for any claimed loss as a consequence of such regulatory action, under any circumstances, this permit being issued solely as an accommodation to the permittee, and being revocable as conditions may warrant.

I. No attempt shall be made by the structure owner to prevent reasonable use by the public of all navigable waters adjacent to the activity authorized by this permit.

J. If the display of lights and signals on any structure authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the structure owner.

K. A structure owner who desires to abandon an authorized structure, or who permits a structure to fall in to a state of disrepair such that it no longer conforms to the conditions of this permit, may be required to remove the structure.

L. There shall be no unreasonable interference with navigation by the existence or use of structures authorized herein.

M. Structure owners are advised of the possibility that piers, docks, moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retaining walls, and rip-rap for erosion control may be subject to damage by wave wash from passing vessels. The issuance of this General Permit does not relieve structure owners from taking all proper steps to insure the integrity of their structures permitted hereby and the safety of boats moored thereto from damage by wave wash, and the structure owners shall not hold the SCDHEC liable for any such damage.

N. A structure owner, upon receipt of a notice from the SCDHEC of failure to comply with the terms, conditions, or standards of this General Permit shall, within sixty (60) days (unless circumstances require more expeditious action to protect the public health, safety or environment) without expense to the State of South Carolina and in such manner as the agency may direct, effect compliance with terms, conditions, and standards or remove the structure from the lake.

O. This General Permit relates only to noncommercial piers, docks, (including multi-slip both covered and uncovered), moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retaining walls and rip-rap for erosion control, and minor excavation and does not convey the right to place any closed structure or structures for any nonwater related use on or adjacent to the pier, dock, moorings, boat house, boat ramps, marine railways for dry storage, seawalls, retaining walls, and rip-rap for erosion control without prior SCDHEC authorization.

P. This General Permit authorizes the construction and continued use of certain structures in the navigable waters of J. Strom Thurmond Reservoir by landowners adjacent to the lake. This authorization is a revocable privilege and if changed circumstances warrant, the SCDHEC may revoke such privilege and require removal of a structure at the expense of the owner.

Q. If underwater archaeological or paleontological remains are found during the course of work, the applicant must notify the South Carolina Institute of Archaeology and Anthropology (Mr. James Spirek, 803/777-8170) in accordance with the South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54, Code of Laws of South Carolina, 1976). Archaeological remains consist of any materials made or altered by man which remain from past historic or prehistoric times (i.e., older than fifty years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or non-recent (i.e., older than 100 years) vessel ruins. Paleontological remains consist of prehistoric animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

R. The Permittee must notify the South Carolina Department of Archives and History (Ms. Nancy Brock, [803] 734-8577, Historic Preservation Division, Post Office Box 11669, Columbia, South Carolina 29211) if any archaeological materials are encountered during the course of the work. Archaeological materials consists of any items, fifty years or older, which were made or used by man. These items include, but are not limited to stone projectile points (arrowheads), ceramic sherds, bricks, worked wood, bone and stone, metal and glass objects, and human skeleton remains. These materials may be present on the ground surface and/or under the surface of the ground.

S. Prior to beginning any land disturbing activity, appropriate erosion control measures, such as silt fences, silt barriers, or other devices must be placed around the construction area and maintained in a functioning capacity until the area is permanently stabilized.

T. Activities authorized by this permit shall not encroach across any adjacent property line

or the imaginary lakeward extension of any adjacent property line without written consent from the affected adjacent property owner.

II. Special Conditions: The following conditions set forth minimum criteria and do not preclude the establishment of more stringent criteria by appropriate authority or agreement.

A. Docks, Piers, Boat Houses (Boat Slips) and Boat Lifts

1. Community or multiple use docks (for use by multiple owners) containing up to 10 boat slips shall be allowed by this General Permit. An individual permit must be obtained for any docking facility with more than 10 boat slips.

1.a. Community or multiple use docks which were not permitted or otherwise approved by the U.S. Army Corps of Engineers by the effective date of the initial General Permit (October 19, 1988) shall not be allowed pursuant to this permit. The facilities which are the subject of that certain Memorandum of Agreement dated April 25, 1988, between the U.S. Army Corps of Engineers and Cooper Communities, Inc., shall not require any additional approval. However, should any part of the Memorandum of Agreement relative to multiple slip docks be modified, an individual permit would be required for such multiple slip docks.

2. Docks, whether permanent, floating or a combination of both, may be up to 400 square feet in overall size (surface area), including the area covered by the boat slip, for each slip within each multiple slip dock and 150 feet in length or extend one-third the distance across the affected waterway, whichever is less, provided they do not interfere with navigation, ingress or egress to adjoining property, or be in any manner hazardous. In some locations, such as narrow coves, the maximum size of structures may be not be permitted or structures may not be permitted at all.

3. A variance in the dimensions related to size and length of docks may be granted where conformity with existing structures would be practicable and in cases where exceptions would be desirable due to curvature and/or slope of the shoreline. This variance will be considered approved for purposes of this General Permit upon approval of the Savannah Lakes Village P.O.A., Inc. on a case-by-case basis. A variance may not allow more than 10 slips per multiple dock as authorized by paragraph 1., above.

4. Handrailing is permissible provided that the sides are not enclosed. Obstruction of cross vision (ability of boater to see objects/persons on the other side of the structure) is prohibited.

5. All permanent docks must be built horizontally whereby the decking is at least two (2) feet above the ordinary high water elevation (330 MSL). Exception to the horizontal requirement is permitted only for the necessary slope required for reasonable approach purposes from the shore.

6. Enclosed structures are not permitted. No sinks, toilets, showers, etc., or any type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters of the lake is permitted.

7. White reflective tape or white reflectors are required on each outermost waterward corner of the dock or pier and every twenty (20') feet on both sides of the length of the structure.

8. Flotation for floating docks shall be encased or encapsulated flotation. Barrels, beaded polystyrene or similar devices are not permitted.

9. Roofs may be gabled or monosloped. Gabled roofs are not to exceed 15 feet in height from top of pitch to water surface. Monosloped roofs are not to exceed 12 feet in height from top of pitch to water surface.

10. All covered docks and boat slips must be floating rather than permanent.

11. Storage compartments are permitted but each must not exceed 24 inches in width, 30 inches in height and 8 feet in length.

12. Uncovered boat lifts are allowable provided that when fully raised the top of the boat or any portion thereof, inclusive of boat covers, may not exceed the height of the handrail on the pier or dock or three feet above the pier or dock surface, whichever is less.

13. Litter receptacles must be located near all community or multiple use docks and walkways.

14. No boats with Marine Sanitation Devices (MSD's) may be moored at any docks authorized by this permit.

15. Signs must be posted on all community or multiple use docks, piers and adjacent areas stating the following:

"It is against both Federal and State Laws to discharge raw, untreated sewage from any description of watercraft into the waters of South Carolina."

Signs should be at least 12" by 12" in size.

16. No live aboards are allowed at any docks.

17. Any painting, major engine repair, or other maintenance which may result in a discharge to the water must be performed in a designated upland site.

B. Mooring Structures

1. Mooring structures, i.e., dolphins, pilings or buoys must be placed in association with piers or docks and shall not extend more than one third the distance across the affected waterway as provided for docks under paragraph IIA.(2), above. Mooring structures shall not be located in front of the associated pier or dock nor shall they be located greater than 20' laterally from the pier or dock.

2. All mooring structures must be well marked with white reflectors or white reflective tape. All vessels secured to mooring structures must be moored in a manner which will not create any hazards to navigation.

C. Boat Ramps

1. Ramps must be constructed of reinforced concrete with a minimum thickness of 4". Asphalt compounds or petroleum base products are prohibited.

2. Ramps may be up to 10 feet wide and required length to be functional.

3. Ramps should conform to the existing topography, to the extent practicable, to minimize slope alterations. Excessive cut and/or fill to achieve the desired slope is not authorized.

4. Common use ramps for use by multiple owners are included in this General Permit.

5. Upon completion of construction activities, all disturbed upland areas must be restored to their original contours and must be permanently stabilized with a vegetative cover or riprap as appropriate.

D. Marine Railways

1. Marine railways must not interfere with navigation.

E. Bulkheads

1. Bulkheads may be no more than 500 feet in length.

2. Bulkhead backfill may not exceed an average of one cubic yard per running foot placed along the bank in navigable waters.

3. Bulkheads must be constructed from pressure treated wood or concrete.

4. Bulkheads must generally follow the project boundary, to the extent practicable,

and must be placed against the existing erosional scarp and landward of any wetland vegetation to prevent the loss of wetlands.

5. Bulkhead backfill must consist of clean earthen materials free of all potential sources of pollution.

6. The backfilled area must be stabilized with a vegetative cover after construction to minimize erosion.

F. Riprap

1. Riprap for erosion control must consist of clean stone or masonry material free of all potential sources of pollution.

2. Riprap revetments may be no more than 500 feet in length.

3. Riprap may not exceed an average of one cubic yard per running foot placed along the bank of navigable waters.

4. Riprap must generally follow the project boundary, to the extent practicable, and must be placed against the existing erosional scarp and landward of any wetland vegetation to prevent the loss of wetlands.

G. Minor Excavation

1. The quantity of soil to be excavated shall not exceed 150 cubic yards for each site as required for construction or for removing accumulated sediment in order to maintain access.

2. All excavating must be done directly in front of the permitted facility area.

3. No excavation will be permitted when the excavation site is covered with water.

4. All excavated material must be moved above the 346 contour and must be contoured and seeded to prevent erosion.

5. All excavation must be limited to that work necessary for reasonable access to deep water and must be located to avoid ecologically sensitive areas, such as vegetated wetlands.

6. Access channels must be limited to a maximum bottom width of 10 feet. Side slopes should be excavated to a slope of 3 to 1, except where safety requirements may dictate a greater slope.

7. Any proposed excavation exceeding 50 cubic yards will require that notice be furnished to the S.C. Department of Natural Resources for a thirty (30) day review and comment period. In the absence of any finding of significant adverse impacts on fish and wildlife resources during the thirty day period, the applicant will be allowed to proceed without further notice. If there are findings of significant adverse impacts, then the applicant will not be allowed to proceed under the terms of the General Permit.

8. Connection of canals excavated above the 330 contour with the main body of the lake are not included in this General Permit.

III. Required Authorization Each person seeking authorization for the activities described in this General Permit must first obtain approval for such activities from Savannah Lakes P.O.A., Inc. For single lot construction, each person shall provide written notice of the proposed activity to all landowners immediately adjacent to the property upon which the activity is to occur and shall submit to Savannah Lakes P.O.A., Inc. written evidence that such notice has been provided. Failure to provide such evidence shall preclude authorization under this General Permit.

IV. Penalties for Violation Authorization obtained under this General Permit limits the size, length and use of structures. Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

V. Revocation of General Permit This General Permit may be withdrawn by issuance of a public notice at any time the SCDHEC determines that the singular or cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation any future activities in areas covered by this General Permit will be processed as individual permits.

VI. Reporting of Activities Authorized by the General Permit The Savannah Lakes Village P.O.A., Inc. shall furnish the South Carolina Department of Health and Environmental Control a tabulation of all activities authorized under the General Permit, including the location and type of work performed, not later than April 1st of each year or upon request of the SCDHEC.

VII. Duration of the General Permit This permit will cover activities started within five (5) years and completed within six (6) years after the date of issuance unless this permit is revoked in the interim. A revocation of the General Permit will not affect the work that had been authorized when the General Permit was in effect.

This General Permit shall become effective on the date signed by the SCDHEC.

By Authority of the South Carolina Department of Health and Environmental Control

Signature

Date

Title